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AT 8:30 \_\_\_\_\_ M  
WILLIAM T. WALSH  
CLERK

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

ASTRAZENECA AB, ASTRAZENECA LP,  
KBI-E INC., HORIZON PHARMA, INC., and  
POZEN, INC.,

Plaintiffs,

v.

ACTAVIS LABORATORIES FL, INC. and  
ACTAVIS PHARMA, INC.,

Defendants.

Civil Action No. 3:13-cv-03038-MLC-DEA

**JOINT STIPULATION OF DISMISSAL  
OF COUNTS RELATED TO CERTAIN  
PATENTS**

WHEREAS Plaintiffs AstraZeneca AB, AstraZeneca LP, KBI-E Inc. (collectively, "AstraZeneca"), Horizon Pharma Inc., and Pozen, Inc., and Defendants Actavis Laboratories FL, Inc. and Actavis Pharma, Inc. (collectively, "Actavis") are Parties to this patent infringement case involving U.S. Patent Nos. 5,714,504 (the "'504 patent"); 5,900,424 (the "'424 patent"); 6,369,085 (the "'085 patent"); 6,875,872 (the "'872 patent"); 6,926,907 (the "'907 patent"); 7,411,070 (the "'070 patent"); 7,745,466 (the "'466 patent"); and 8,557,285 (the "'285 patent");

WHEREAS AstraZeneca, Horizon Pharma Inc., and Pozen, Inc. filed their Amended Complaint (Dkt. 53) on April 10, 2014;

WHEREAS Actavis filed its Answer, Separate Defenses, and Counterclaims (Dkt. 54) on April 28, 2014;

WHEREAS AstraZeneca and Actavis wish to narrow the issues in dispute in this litigation and streamline the course of future discovery and the scope of trial;

WHEREAS Federal Rule of Civil Procedure 41(a) permits parties to dismiss claims pursuant to a stipulation of dismissal; and

THEREFORE, IT IS HEREBY STIPULATED, CONSENTED, AND AGREED TO by and between AstraZeneca and Actavis as follows:

1. AstraZeneca's claims of infringement against Actavis concerning the '504, '085, '872, '070, and '466 patents are hereby dismissed with prejudice.
2. Actavis's counterclaims against the '424, '504, '085, '872, '070, and '466 patents are hereby dismissed with prejudice.
3. Plaintiffs AstraZeneca AB, AstraZeneca LP, and KBI-E Inc. are dismissed from the case.

4. The above dismissals do not affect the remaining infringement claims concerning the '907 and '285 patents or Actavis's counterclaims concerning the '907 and '285 patents.

5. The above dismissals do not affect the infringement claims in the cases that are consolidated with the above-captioned matter for purposes of discovery.

6. Each party is to bear its own fees and costs.

So stipulated,

Dated: March 11, 2015

Respectfully Submitted,

By: s/John E. Flaherty

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SO ORDERED on this 9<sup>th</sup> day of APRIL, 2015

Mary L. Cooper

Hon. Mary L. Cooper, U.S.D.J.